

WYNER & TIFFANY

Fax: 310-792-8988

Mar 12 2008 02:06pm P001/003

*Wyner & Tiffany*

Attorneys at Law

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Attorneys for Petitioners

T. B. , Allison B. & Robert B

OFFICE OF ADMINISTRATIVE HEARINGS  
FOR THE STATE OF CALIFORNIA

T. B. , ALLISON  
B. AND ROBERT  
B.

Case No.: N2007110255

MOTION TO DISMISS

Petitioners,

v.

SAN DIEGO UNIFIED SCHOOL  
DISTRICT

Respondent.

TO THE OFFICE OF ADMINISTRATIVE HEARINGS AND THE SAN DIEGO  
UNIFIED SCHOOL DISTRICT:

PLEASE TAKE NOTICE THAT PETITIONERS T. B. ,  
ALLISON B. , AND ROBERT B. (collectively, "Student") hereby  
moves to dismiss, without prejudice, the due process hearing in the above-captioned  
matter, currently scheduled to commence on April 7, 2008.

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1 Good cause exists for the requested dismissal because Student and his parents are  
2 moving out-of-state, and as such Student has been withdrawn from Defendant's school  
3 district. Nonetheless, Student reserves his rights to litigate these issues in the future,  
4 should it be appropriate to do so.

5  
6  
7 Dated: March 12, 2008

Respectfully submitted,

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9 *Wyner & Tiffany*  
10 Attorneys at Law

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12 By: *Steven Wyner*  
13 Steven Wyner  
14 Attorneys for Petitioners  
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WYNER &amp; TIFFANY

Fax: 310-792-8988

Mar 12 2008 02:06pm P003/003

**PROOF OF SERVICE***Tyler Brenneise v. San Diego Unified School District*

OAH Case No. N2007110255

I am over the age of 18 and not a party to the within action. My business address is: Wyner & Tiffany, Attorneys at Law, 970 W. 190th Street, Suite 302, Torrance, CA 90502. On March 12, 2008, I served this proof of service, together with the attached

**Motion to Dismiss**

on the Office of Administrative Hearings and all interested parties in this action by faxing true copies thereof addressed as follows:

Office of Administrative Hearings  
Special Education Division  
2349 Gateway Oaks Dr. Ste. 200  
Sacramento, CA 95833-4231  
Fax # (916) 376-6319

Dr. William Kowba  
Interim Superintendent, SDUSD  
Eugene Brucker Education Center  
4100 Normal Street  
San Diego, CA 92103  
Fax # (619) 291-7182

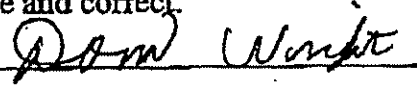
Sarah Sutherland, Esq.  
Miller, Brown & Dannis  
750 B. Street, Suite 2310  
San Diego, CA 92101  
Fax (619) 702-6202

San Diego USD  
Board of Education  
Eugene Brucker Education Center  
4100 Normal Street  
San Diego, CA 92103  
Fax # (619) 291-7028

**BY FACSIMILE TRANSMISSION** as follows: I transmitted said foregoing document(s) via facsimile transmission to the Fax Phone numbers shown above.

I am employed in the office of a member of the bar of this Court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

March 12, 2008

  
Dona Wright, Paralegal/Advocate

Case No. N2007110255

Proof of Service

**RECEIVED**  
372-08  
m85

Exhibit A  
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